

Congress of the United States

Washington, DC 20515

October 1, 2007

The Honorable Tim Pawlenty
Governor
State of Minnesota
130 State Capitol
St. Paul, Minnesota 55155

Dear Governor Pawlenty:

In the aftermath of the tragic collapse of the I-35W Bridge on August 1, 2007, Congress acted within 48 hours to provide \$250 million for Minnesota to recover and rebuild the I-35W Bridge. We are greatly troubled that your administration has not applied for the available Federal funds for bridge reconstruction.

We urge you to act promptly: submit a letter of request immediately to the Federal Highway Administration ("FHWA") for reimbursement of the \$60 million of Federal-aid Highway Emergency Relief and public transit funds which were allocated to the bridge project in early August.¹

The FHWA Emergency Relief program provides 100 percent Federal funding for the reconstruction of the I-35W Bridge – no state match is required. Trunk highway funds intended for other MNDOT projects should not be diverted to make up-front progress payments to the contractor for the I-35W bridge reconstruction.

Further, we urge you to promptly request Emergency Relief funds for construction of the I-35W bridge replacement to ensure that Minnesota will receive its share of the \$175 million of Emergency Relief that is currently available. Continued delay by MNDOT in seeking these funds could jeopardize Minnesota's ability to receive timely reimbursement of the funds.

In the wake of the August 1 collapse of the I-35W Bridge, Congress immediately acted to help Minnesota recover and rebuild the bridge. On August 2, Chairman Oberstar, together with the entire Minnesota delegation, introduced H.R. 3311 and the House Committee on Transportation and Infrastructure approved the bill the very same day. The House passed the bill the following day and it became law on August 8. Public Law 110-56 specifically authorizes \$250 million for the repair and reconstruction of the I-35W Bridge. It waives any state or local match for the project and waives the \$100 million statutory cap limiting Minnesota's eligible reimbursement for reconstruction

¹ On August 2, 2007, FHWA allocated \$5 million to Minnesota for the I-35W Bridge reconstruction project. On August 9, FHWA allocated an additional \$50 million for the project. In addition, in August, the Federal Transit Administration awarded \$5 million to Minnesota to reimburse Minneapolis for increased transit operations to serve commuters affected by the bridge collapse.

of the bridge. It also provides \$5 million to reimburse the Metropolitan Council for increased transit operations needed to serve commuters affected by the bridge collapse.

Using the authority provided by P.L. 110-56 and the FHWA Emergency Relief program, the U.S. Department of Transportation allocated \$55 million of Emergency Relief funds to Minnesota to move forward with recovery efforts and design of a new I-35W bridge. In addition, the U.S. Department of Transportation has made available \$5 million for increased public transit operations. Although these funds were made available to Minnesota in early August, we are surprised to learn that the Minnesota Department of Transportation has not sought reimbursement for any of the \$60 million of Federal Emergency Relief and public transit funds which are set aside for the bridge project.

In addition, on October 1, FHWA will have \$175 million available for Emergency Relief. This amount includes \$100 million made available by the Safe, Efficient, Accountable Transportation Equity Act: A Legacy for Users ("SAFETEA-LU") and \$75 million of carryover balances. These funds are immediately available for obligation on October 1 and are not subject to appropriations.

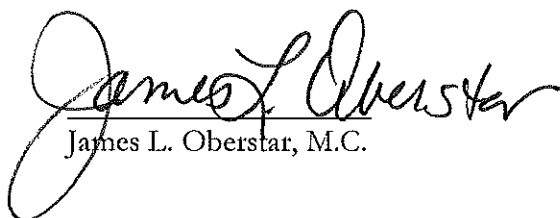
To date, several states have formally requested \$54 million of this \$175 million of available Emergency Relief funding. FHWA expects additional states to request \$157 million in the very near future.


Minnesota has no formal request pending for Emergency Relief funds. If the state does not make a timely submission for Emergency Relief funds, these funds could be allocated to other states prior to Minnesota's submission. We urge you to formally request Emergency Relief funds as soon as possible to ensure that Minnesota receives its share of any Emergency Relief allocation. Continued delay by the Minnesota Department of Transportation in seeking these funds could jeopardize Minnesota's ability to receive timely reimbursement.

Finally, none of these Federal Emergency Relief or public transit funds requires a state or local match and should not, must not, delay any other projects in Greater Minnesota.

We expect you to take immediate action to ensure that Minnesota is accessing the available Federal funds to help Minnesota recover and rebuild the I-35W Bridge and to ensure that the Minnesota Department of Transportation is effectively using the \$60 million of Federal Emergency Relief and public transit funds that were allocated to the project in early August.

Sincerely,


James L. Oberstar, M.C.



Collin C. Peterson, M.C.

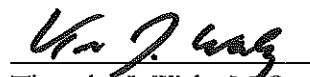
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